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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
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KANESAKA AND TAKEUCHI			EXAMINER	
1423 Powhatan Street Alexandria, VA 22314			ROSENBAUM, MARK	
			ART UNIT	PAPER NUMBER
			3725	
			DATE MAILED: 09/11/2003	3

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) AIKAWA, YOSHIHIKO Examiner AIKAWA, YOSHIHIKO AIKAWA, YOSHIHIKO	_		8				
Examiner Mark Rosenbaum 3725		Application No.	Applicant(s)				
Mark Rosenbaum 3725		10/080,570	AIKAWA, YOSHIHIKO				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edantalized for the may be available under the procriosina of 3 CRR 1.136(a). In no event, however, may a reply be limitely filled the proof for may be specified above in less than lifty (20) says, a reply within the adulutory inflation of thing (30) shays will be considered timely. If the period for may be specified above is less than lifty (20) says, a reply within the adulutory inflation of thing (30) shays will be considered timely. If the period for may be specified above is less than lifty (20) says, a reply within the adulutory inflation of thing (3) shays will be considered timely. If the period for may be specified above is less than lifty (20) says, a reply within the adulutory inflation of this communication. Fairure is reply within the sol or estendies period will such a specification to be communication to second an experimental second and the communication of the communication. Page 17 This action is FINAL. 20 This action is FINAL. 20 This action is final. 20 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Queryle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) is/are pending in the application. 4) Of the above claim (s) is/are withdrawn from consideration. 5) Claim(s) is/are objected to. 6) Claim(s) is/are objected to. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is/are proved by disapproved by the Examiner. If approved, corrected drawings are required in repl	, Office Action Summary	Examiner	Art Unit				
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Application/Control Number: 10/080,570

Art Unit: 3725

DETAILED ACTION

Claim Objections

Claims 8-9 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. What structure is being claimed to further limit the claims they depend upon?

Claim Rejections - 35 USC § 112

Claims 8-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear what structure is being claimed here.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reinhall. This patent discloses the heart of applicant's invention i.e. a refiner consisting of a conical part and a radial part. The outer section of Reinhall is conical. Applicant's claimed invention has the inner part being conical. No advantage is seen in making the inner part of Reinhall conical. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Reinhall by having the inner part

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instead of the outer part being conical since such a modification appears to be a design choice only as it solves no stated problem. Note also that Reinhall discloses that it is known to have both individual or separate adjustments for the refining zone.

Furthermore, the use of two sub-zones within the first zone is well known in the art and of no patentable merit.

Allowable Subject Matter

Evidence of record showing that having the inner portion conical as opposed to the outer portion as shown in Reinhall would result in patentable subject matter if timely presented by applicant.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Rosenbaum whose telephone number is 703-308-1788. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alan Ostrager can be reached on 703-308-3136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-

1148.

Mark Rosenbaum Primary Examiner Art Unit 3725